

Shrimp Baiting Regulations

South Carolina Department of Natural Resources

2006-2007

This document should be kept on board all vessels as a reference to regulation, not to supersede knowledge of the pertinent laws.

Section 50-5-1100. (A) It is unlawful to catch or take shrimp by any means for commercial purposes outside the General Trawling Zone or outside the legal channel net zones as established by the department, other than for sale as live bait, or in or near any waters or bottoms which have been baited by placing, depositing, or scattering any material to attract or lure shrimp toward the bait or to cause shrimp to congregate in the area where the bait is placed. Furthermore, it is unlawful to take or attempt to take shrimp by the use of a shrimp trap or shrimp pot.

Section 50-5-1100 (B) The department shall establish annually a sixty-day open season between September 1 and November 15 for taking shrimp over baited areas. The sixty days may but are not required to be consecutive. It is unlawful for anyone to take, or attempt to take, shrimp over bait during the closed season for taking shrimp over bait. The provisions of this subsection do not apply to anyone taking or attempting to take shrimp over bait by the use of a drop net from a pier, dock, or other structure permanently affixed to high land.

Section 50-5-1100 (C) It is unlawful for a person resident or nonresident of this State to take shrimp by cast net over bait during the open season unless he first obtains from the department a shrimp baiting license and associated tags, except that a resident possessing the required license and associated tags, while shrimping from a boat may be assisted in casting by other resident individuals in the boat with him and those individuals are not required to have a license or associated tags. Upon receipt of application and fees, the department shall issue the license along with ten marking device tags bearing the corresponding license number. Each licensee while shrimping over bait shall carry on his person his baiting license and upon demand shall show it to a law enforcement officer.

Section 50-5-1100 (D) It is unlawful for a person to borrow, loan, or exchange a baiting license or tags with another person. In addition to the penalties set forth in this selection, he shall forfeit any right to any baiting license and tags issued to him. In addition, he is prohibited for procuring another baiting license for the season for which the baiting license and tags so borrowed, exchanged, or loaned were issued.

Section 50-5-1100 (E) The fee for a resident shrimp baiting license and associated tags is twenty-five dollars. The fee for the issuance of the nonresident shrimp baiting license and associated tags is five hundred dollars. The department may issue duplicate baiting licenses or tags upon affidavit from the licensee that he has lost his baiting license or tags. The duplicate license or tags must be labeled 'Duplicate'. The fee for the issuance of a duplicate shrimp baiting license is twenty-five dollars for residents and one hundred dollars for nonresidents. The fee for the issuance of each duplicate tag is one dollar for residents and four hundred for nonresidents.

All monies derived from the issuance of all licenses and tags authorized in this selection are retained by the department for the purposes of administration and enforcement of this section and article and to conduct an annual survey of the fishery.

Section 50-5-1100 (F)(1) It is unlawful for a person to catch or take shrimp over a baited area unless each bait deposit is marked by a pole not to exceed one inch in diameter, which is driven into the ground and with the department-issued tag securely attached to it.

(2) It is unlawful for a person to catch or take shrimp over a baited area unless each pole is plainly marked with reflective tape.

(3) There is a ten pole limit a boat a day.

(4) There is a ten pole limit for each person who is shrimping over a baited area if no boat is being used.

(5) If more than one pole is being used, the distance between the first and last pole may not exceed one hundred yards.

(6) The minimum distance between each set of poles may not be less than twenty-five yards.

(7) No pole or set of poles may be left unattended, and if the licensee is not located in the immediate vicinity, the poles must be confiscated by the department.

(8) The licensee is allowed to shrimp over only those poles bearing his corresponding license number.

It is unlawful during the closed season for taking shrimp over bait to have aboard any boat any poles or material that can be used to attract, lure, or cause shrimp to congregate.

It is unlawful to set poles within fifty yards of a dock or public landing or boat ramp.

Nothing in this subsection prevents the owner of a private dock or anyone with written permission from taking shrimp over bait from the dock as long as the department issued license tag is clearly displayed upon the dock in lieu of the pole required in this section.

Section 50-5-1100 (G) The provisions of subsection (F) do not apply to anyone taking or attempting to take shrimp by the use of a drop net over bait from a pier, dock, or other structure permanently affixed to the high land.

Section 50-5-1100 (L) Each quart of shrimp taken in violation of the provisions of this section is a separate offense.

Section 50-5-1100 (M) No part of the minimum fines provided in this section may be suspended.

Catch Limits on Shrimp

Section 50-5-1105. (A) When taking shrimp over bait, there is a catch limit of not more than forty-eight quarts of whole shrimp or twenty-nine quarts of headed shrimp, for each set of poles a day. When no

bait is being used, the catch limit is forty-eight quarts of whole shrimp or twenty-nine quarts of headed shrimp for each boat a day or for each person when no boat is being used. When a seine or seines are being used to take shrimp, one catch limit is allowed a day among the persons using the seines. As used in this section, a day means sunrise on one day to sunrise on the following day.

Section 50-5-1105 (B) It is unlawful for a person to have in his immediate control or possession more than forty-eight quarts of whole shrimp or twenty-nine quarts of headed shrimp while upon the waters or the lands immediately adjacent to the waters from May 1 through December 15. The possession limit is ninety-six quarts of whole shrimp or fifty-eight quarts of headed shrimp while not on the waters or lands immediately adjacent to the waters unless a person has in possession a bill of landing or receipt showing that the shrimp have been purchased from a licensed retail or wholesale dealer. This subsection does not apply to a licensed trawler lawfully fishing or transporting the catch, or to a licensed dealer distributing his product, or to a properly licensed bait dealer harvesting or distributing his product.

Section 50-5-1105 (F) No part of the fine, forfeiture, or suspension of privileges imposed for a violation under this section may be suspended.

*** Penalties:** Fines up to five thousand dollars (plus court costs), possible imprisonment for up to thirty days, suspended privileges for two years. The boat, motor, trailer, rigging, coolers, nets, fishing devices, and catch are considered contraband and must be seized.

Section 50-5-367 (A) It is unlawful to sell or to offer for sale shrimp taken over bait.

Section 50-5-367 (B) Any person or entity violating the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not less than two thousand dollars or more than five thousand dollars and may be imprisoned for not more than thirty days and must have his saltwater privileges suspended for twelve months, and the shrimp, its containers, used in violation of this section must be seized.

Section 50-5-367 (C) It is unlawful to knowingly purchase shrimp taken over bait.

Section 50-5-1102 (A) The following may not obtain or attempt to obtain a shrimp baiting license:

- (1) any person who, or officer of a corporation which, owns a vessel specified on a trawl license;
- (2) any person named as a master of a vessel specified on a trawl license application;
- (3) any person licensed to use a channel net;
- (4) any person licensed to use a cast net for a commercial purpose; or
- (5) any person who, or officer of a corporation which, is licensed as a wholesale seafood dealer.

Section 50-5-1102 (B) No person holding a shrimp baiting license may be a person specified in subsection (A).

Section 50-5-1102 (C) A person who violates this section is guilty of a misdemeanor and, upon conviction, must be fined not less than five hundred dollars nor more than one thousand dollars or imprisoned for not more than thirty days.

